

Exhibit A

Proposed Order

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to ERS.

ORDER GRANTING FOUR HUNDRED SEVENTY-FIRST OMNIBUS OBJECTION
(SUBSTANTIVE) OF THE EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO DUPLICATE
LITIGATION CLAIMS

Upon the *Four Hundred Seventy-First Omnibus Objection (Substantive) of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Duplicate Litigation Claims* [ECF No. 21420] (“Four Hundred Seventy-First Omnibus Objection”)² of the Employees Retirement System of the Government of the Commonwealth of

¹ The Debtors in the Title III cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations)

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Four Hundred Seventy-First Omnibus Objection.

Puerto Rico (“ERS” or “Debtor”), dated July 1, 2022, for entry of an order disallowing in their entirety certain claims filed against ERS, as more fully set forth in the Four Hundred Seventy-First Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Four Hundred Seventy-First Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Four Hundred Seventy-First Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and the claims identified in the column titled “Claims to be Disallowed” in Exhibit A to the Four Hundred Seventy-First Omnibus Objection (collectively, the “Claims to Be Disallowed”) having been found to be duplicative of the Litigation Master Claims, as defined in the Four Hundred Seventy-First Omnibus Objection; and the Court having determined that the relief sought in the Four Hundred Seventy-First Omnibus Objection is in the best interest of ERS, its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Four Hundred Seventy-First Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the Four Hundred Seventy-First Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the Claims to Be Disallowed are hereby disallowed in their entirety; and it is further

ORDERED that the Debtors’ right to object to the Litigation Master Claims is reserved; and it is further

ORDERED that Kroll is authorized and directed to designate the Claims to Be Disallowed as expunged on the official claims register in the Title III Cases; and it is further

ORDERED that this Order resolves Docket Entry No. 21420 in Case No. 17-3283;
and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters
arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: _____

Honorable Judge Laura Taylor Swain
United States District Judge

EXHIBIT A

Schedule of Claims Subject to the Four Hundred Seventy-First Omnibus Objection

Four Hundred Seventy-First Omnibus Objection

Exhibit A - Claims to Be Disallowed

CLAIMS TO BE DISALLOWEDREMAINING CLAIMS

	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT
1	DIAZ MORALES, AZLIN QUINTAS BALWIN #50 AVE. A APT. 1206 BAYAMON, PR 00959	06/14/18	17 BK 03566-LTS Employees Retirement System of the Government of the Commonwealth of Puerto Rico	78765-1	\$39,604.74*	FRANCISCO BELTRAN ET AL (4,593 PLAINTIFFS) COLLECTIVELY (THE "BELTRAN CINTRON PLAINTIFF GROUP") CIVIL CASE NUM. K AC2009-0805/TSPR AC 2016-0120 C/O IVONNE GONZALEZ-MORALES ATTORNEY FOR BELTRAN CINTRON PLAINTIFF GROUP P.O. BOX 9021828 SAN JUAN, PR 00902-1828	06/29/18	17 BK 03566-LTS Employees Retirement System of the Government of the Commonwealth of Puerto Rico	93199	\$15,283,000.00*
						FRANCISCO BELTRAN ET ALL (4,493 PLAINTIFFS) COLLECTIVELY (THE BELTRAN CINTRON PLAINTIFF GROUP")... ATTN: IVONNE GONZALEZ-MORALES PO BOX 9021828 SAN JUAN, PR 00902	03/05/21	17 BK 03283-LTS Commonwealth of Puerto Rico	179140	\$105,000,000.00*

Reason: This claim is duplicative of Master Claim nos. 179140 and 93199, which were filed on behalf of all plaintiffs in the litigation captioned Francisco Beltrán Cintrón et al. v. Puerto Rico Department of Family Affairs, No. KAC2009-0809 (the “Beltrán Cintrón Master Claims”), by the attorney representing plaintiffs in that litigation. The plaintiffs in the litigation are former Department of Family Affairs (“DOFA”) employees who alleged that DOFA withheld wages and pension payments as a result of the Office of Public Service Personnel’s “General Memorandum No. 5-86.” Claimant is a plaintiff in that litigation, and his/her claim asserts the above-referenced litigation and/or liabilities associated with this litigation as its basis.

Four Hundred Seventy-First Omnibus Objection

Exhibit A - Claims to Be Disallowed

CLAIMS TO BE DISALLOWEDREMAINING CLAIMS

	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT	NAME	DATE FILED	CASE NUMBER / DEBTOR	CLAIM #	CLAIM AMOUNT
2	TORRES ROSARIO, NANCY HC 2 BOX 9996 JUNCOS, PR 00777	06/07/18	17 BK 03566-LTS Employees Retirement System of the Government of the Commonwealth of Puerto Rico	115744	\$32,652.37	MADLINE ACEVEDO CAMACHO ET AL. (2,818 PLAINTIFFS) (COLLECTIVELY THE "ACEVEDO CAMACHO PLAINTIFF GROUP"); CASP CASE NUM. 2016-05-1340 PO BOX 9021828 SAN JUAN, PR 00902-1828	06/29/18	17 BK 03566-LTS Employees Retirement System of the Government of the Commonwealth of Puerto Rico	103072	\$8,990,000.00*
						MADLINE ACEVEDO CAMANCHO ET AL. (2818 PLAINTIFFS) (COLLECTIVELY THE "ACEVEDO CAMACHO PLAINTIFF GROUP"); CASP CASE NUM. 2016-05-1340 LCDA. IVONNE GONZALEZ MORALES PO BOX 9021828 SAN JUAN, PR 00902-1828	06/04/18	17 BK 03283-LTS Commonwealth of Puerto Rico	32044	\$50,000,000.00*

Reason: This claim is duplicative of Master Claim nos. 32044 and 103072, which were filed on behalf of all plaintiffs in the litigation captioned Madeline Acevedo Camacho et al. v. Puerto Rico Department of Family Affairs, No. 2016-05-1340 (the "Acevedo Camacho Master Claims"), by the attorney representing plaintiffs in that litigation. The Acevedo Camacho Master Claims are filed on behalf of the DOFA employees who alleged that DOFA illegally sequestered wages and pension payments as a result of the Office of Public Service Personnel's "General Memorandum No. 5-86." Claimant is a plaintiff in that litigation, and his/her claim asserts the above-referenced litigation and/or liabilities associated with this litigation as its basis.